



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/699,371 10/31/00 ITO

H 06753.0386

EXAMINER
----------

PM82/1010  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON DC 20005

HERNANDEZ, O	
ART UNIT	PAPER NUMBER

3661  
DATE MAILED:

10/10/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/699,371

Applicant(s)

ITO ET AL.

Examiner

Olga Hernandez

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-21 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1, 11 and 21, drawn to a vehicle information system, classified in class 701, subclass 1.
  - II. Claims 2, 3, 12 and 13, drawn to a vehicle indication system, classified in class 701, subclass 24.
  - III. Claims 4-8 and 14-18, drawn to a vehicle communication system, classified in class 701, subclass 36.
  - IV. Claims 9, 10, 19 and 20, drawn to a vehicle navigation system, classified in class 701, subclass 23.
2. This application contains claims directed to the following patentably distinct species of the claimed invention:

Invention I lacks invention II:

- a level of danger
- a degree of seriousness
- level of urgency
- length of reaction time
- neglecting information

Invention II lacks invention III:

- communicating means
- appealing to a combination of one or more organ of sense

- communicating style suitable for a driver to grasp a situation
- recognize reaction that should be take by the driver

Invention III lacks invention IV:

- self-traveling control means
- controlling speed
- setting steering angle

Invention IV lacks invention I:

- integrating diversified pieces of information
- indicating importance of the information
- allocating an appropriate resource

Invention I lacks invention III:

- communicating means
- appealing to a combination of one or more organ of sense
- communicating style suitable for a driver to grasp a situation
- recognize reaction that should be take by the driver

Invention I lacks invention IV:

- self-traveling control means
- controlling speed
- setting steering angle

Invention II lacks invention IV:

- self-traveling control means
- controlling speed

Art Unit: 3661

- setting steering angle

Invention III lacks invention II:

- a level of danger
- a degree of seriousness
- level of urgency
- length of reaction time
- neglecting information

Invention III lacks invention I:

- integrating diversified pieces of information
- indicating importance of the information
- allocating an appropriate resource

Invention II lacks invention I:

- integrating diversified pieces of information
- indicating importance of the information
- allocating an appropriate resource

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, integrating diversified pieces of information and providing each of the integrated pieces of information with a priority order indicating an importance of each information; when one or more pieces of information arrive at and/or are generated in the vehicle, allocating an appropriate resource selected from the diversified resources for using the generated information to the generated information according to the priority order given to the

generated information; the importance of the information is defined so as to include a level of danger introduced from a degree of a seriousness of the situation that may occur if the same information neglected; the priority order indicating the importance of the information is given to the information based on the level of danger; the importance of the information is defined so as to include the level of danger and a level of urgency introduced from a length of reaction time required until a driver takes a reaction since he recognizes the information; the priority order indicating the importance of the information is given to the information based on the level of danger and the level of urgency; the diversified resources for using the information generated in the vehicle include one or more information communicating means prepared for each organ of sense so as to communicate the information to a driver by appealing to a combination of one or more organs of sense; the diversified resources for using the information generated in the vehicle include one or more information communicating styles corresponding to the characteristic of information communicating means; the diversified resources for using the information generated in the vehicle include an information communicating style suitable for the driver to grasp a situation; the diversified resources for the information generated in the vehicle include an information communicating style suitable for the driver to recognize a reaction that he should take; when communicating the information to the driver using an appropriate resource selected from the diversified resources, a combination of one or more appropriate resources is selected from the diversified resources based on a combination of one or more of the quantity of information to be communicated, a content thereof, an appropriate communicating timing, importance of the information and information communicating capacity inherent of each the diversified resources, so as to communicate the information to the driver using the selected

resources; the diversified resources for using the information generated in the vehicle include self-traveling control means having function for controlling self-traveling of the vehicle based on the same information; the self-traveling control means has a function for controlling a speed of the vehicle and/or a steering angle thereof based on the information generated in the vehicle as to aim at the self-traveling of the vehicle, generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

3. A telephone call was made to Mr. David Hill on 9/13/01 to request an oral election to the above restriction requirement, but did not result in an election being made.

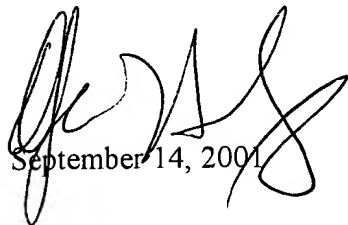
Art Unit: 3661

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Hernandez whose telephone number is (703) 305-0918. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on (703) 308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



September 14, 2001

Olga Hernandez  
Examiner  
Art Unit 3661



WILLIAM A. CUCHLINSKI, JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600